2026:JHHC:28690

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (C) No. 7474 of 2026

Prasenjit Prasad Singh, son of Uma Prasad Singh, resident of Rajabari Road, Rajagarh, near Maa Nilkanth Vasini Mandir, Jharia, P.O. & P.S.- Jharia, District- Dhanbad

… … Petitioner

Versus

1. The State of Jharkhand
2. The Deputy Commissioner, Dhanbad
3. The Sub-Divisional Officer, Dhanbad
4. The Circle Officer, Dhanbad
5. The Civil Surgeon-cum-Chief Medical Officer, Patliputra Medical College and Hospital, Dhanbad

…. … Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Sanjay Prasad, Advocate
For the Respondents : Ms. Amrita Banerjee, A.C. to G.P.-I

Order No. 02 **Dated: 23.09.2026**

1. The present writ petition has been filed for restraining the respondents from dispossessing the petitioner from his rightful possession over the *raiyati* land appertaining to plot no. 861, Khata No. 136, Mouza- Hirapur, Thana No. 7, District- Dhanbad measuring an area of 10 *kathas* out of total area of 16 *kathas*.

2. Learned counsel for the petitioner submits that the land appertaining to plot no. 861, Khata No. 136, Mouza- Hirapur, Thana No.-07, District- Dhanbad measuring an area of 05 *Kathas* was purchased by the petitioner's father Late Uma Prasad Singh from one Ram Karan Singh vide sale deed no. 12656 dated 14.11.1952 (Annexure-2 to the writ petition). It is further submitted that in addition to the aforesaid land, the land measuring an area of 6.90 acres adjoining the

purchased land belonged to Shiv Prasad Singh-the grandfather of the petitioner and he was in absolute possession of the same. His name also stood recorded in the record of rights. Subsequently, a land acquisition proceeding being L.A. Case No. 01 of 1971-72 / 01 of 1970-71 was initiated for establishing Sadar Hosptial and his grandfather was paid compensation for acquisition of part of the said land and the rest part of the said land measuring an area of 16 decimals remained in his possession.

3. In sum and substance, learned counsel for the petitioner intends to submit that the petitioner at present is in rightful possession of 10 *kathas* (equivalent to 16 decimals) of land at plot no. 861, Khata No. 136, Mouza No.-7, Mouza- Hirapur, District- Dhanbad. The said land is being illegally occupied by the State authorities by erecting boundary wall over the same for extension of Sadar Hospital, Dhanbad. The petitioner raised the said grievance before the authorities, but the same remained unresponded which compelled him to prefer the present writ petition.

4. Ms. Amrita Banerjee, learned A.C. to G.P.-I appearing on behalf of the respondents, submits that the aforesaid claim of the petitioner is required to be examined by the concerned authority on the basis of the available records. Hence, if the petitioner prefers a fresh representation before the Deputy Commissioner, Dhanbad (the respondent no. 2), an

appropriate decision will be taken in accordance with law.

5. Having heard learned counsel for the parties and considering the nature of prayer made by the petitioner in the present writ petition, without entering into the merit of the case, the petitioner is given liberty to prefer a fresh representation before the respondent no. 2. On receipt of the said representation, the respondent no. 2, after examining the relevant records of the case and on providing an opportunity of hearing to the petitioner, shall take an appropriate informed decision in this regard within eight weeks from the date of filing of the said representation.

6. The writ petition is accordingly disposed of with the aforesaid liberty and direction.

(Rajesh Shankar, J.)

September 23, 2026
Ritesh/
Uploaded on 24.09.2026